



CITY OF MORGAN HILL  
COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION

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## PLANNING COMMISSION

TUESDAY, JULY 22, 2008

CITY COUNCIL CHAMBERS  
CIVIC CENTER  
17555 PEAK AVENUE  
MORGAN HILL, CA 95037

### COMMISSIONERS

CHAIR SUSAN KOEPP-BAKER  
VICE-CHAIR MIKE R. DAVENPORT  
COMMISSIONER H. GENO ACEVEDO  
COMMISSIONER ROBERT L. ESCOBAR  
COMMISSIONER RALPH J. LYLE  
COMMISSIONER JOSEPH H. MUELLER  
COMMISSIONER WAYNE TANDA

REGULAR MEETING - 7:00 P.M.

\*\*\* A G E N D A \*\*\*

### NOTICE TO THE PUBLIC

*The following policies shall govern the conduct of the Planning Commission meetings:*

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
  - *Those supporting the application*
  - *Those opposing the application*
  - *Those with general concerns or comments*
  - *Presentations are limited to 5 minutes*

**PLANNING COMMISSION MEETING AGENDA**

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**DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH  
GOVERNMENT CODE SECTION 54954.2 - SECRETARY REPORT**

**OPEN PUBLIC COMMENT PERIOD (5 MINUTES)**

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

**CONSENT CALENDAR:**

**MINUTES:** July 8, 2008

**PUBLIC HEARINGS:**

- 1) **DEVELOPMENT AGREEMENT AMENDMENT, DAA-05-04D/DEVELOPMENT SCHEDULE AMENDMENT, DSA-07-04C: E. MAIN-MARRAD/DIVIDEND:** The applicant is requesting approval to amend the development agreement and development schedule to allow for an extension of time to begin construction of a 35-unit single-family residential development located south side of east Main Ave., approximately 500 ft. east of Calle Mazatan. (APN 726-16-028)

**Recommendation:** Open Public Hearing/Adopt Resolution approving the Development Agreement Amendment, with recommendation to forward request to the City Council for approval; and Adopt Resolution approving the Development Schedule Amendment.

- 2) **DEVELOPMENT AGREEMENT AMENDMENT, DAA-05-06C/DEVELOPMENT SCHEDULE AMENDMENT, DSA-07-10C: GINGER-CUSTOM ONE:** A request to amend the development agreement and development schedule for a five-unit single-family residential development proposed on a 1.23-acre site located on the southeast corner of the intersection of Rose Lane and Ginger Way. A 12 month extension of time is requested. (APN 726-36-056)

**Recommendation:** Open Public Hearing/Adopt Resolution approving the Development Agreement Amendment, with recommendation to forward request to the City Council for approval; and Adopt Resolution approving the Development Schedule Amendment.

- 3) **DEVELOPMENT AGREEMENT AMENDMENT, DAA-05-07D/DEVELOPMENT SCHEDULE AMENDMENT, DSA-07-05C: WRIGHT-MANANA:** The applicant is requesting approval to amend the development agreement and development schedule to allow for an extension of time to begin construction of a 15 unit residential development located on the northeast quadrant of the intersection of Wright Ave and Oak Grove Ave. (APN 764-32-061 & 063)

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**Recommendation:** Open Public Hearing/Adopt Resolution approving the Development Agreement Amendment, with recommendation to forward request to the City Council for approval; and Adopt Resolution approving the Development Schedule Amendment.

- 4) **USE PERMIT, UP-08-08: W. MAIN-AMERICAN MEDICAL RESPONSE:** The applicant is requesting approval for a conditional use permit for the American Medical Response ambulance substation with 24 hour crew housing and storage located in a commercial house on the north side of W. Main Ave just east of the VTA parking lot at 145 W. Main Ave. The property is zoned Central Commercial Residential CC-R. (APN: 764-16-023)

**Recommendation:** Open Public Hearing/Adopt Resolution approving the conditional use permit.

- 5) **USE PERMIT, UP-08-07: SPRING-MT. HOPE CEMETERY:** A request for approval of a conditional use permit to expand the existing 5.11-acre Mt. Hope Cemetery to approximately 11 acres. The cemetery is located on Spring Ave. opposite the intersection at Barnell Ave. in a PF, Public Facilities zoning district. A Mitigated Negative Declaration is proposed. (APNs 767-16-002 & -042 and 767-15-014 & -017)

**Recommendation:** Open Public Hearing/Adopt Resolution approving the conditional use permit.

- 6) **GENERAL PLAN AMENDMENT, GPA-08-10/ZONING AMENDMENT, ZA-08-12: BARRETT-COLSON & COLSON CONSTRUCTION CO.:** A request for approval of a General Plan Amendment to change the land use designation of a 5.3-acre site located near the northwest corner of Butterfield Blvd and Barrett Ave from Industrial to Multi-Family Medium. The applicant also proposes a Zoning Amendment to: 1) Change the zoning designation of the site from ML, Light Industrial (Planned Development) to R3, Medium Density Residential (Planned Development); and 2) Adopt a precise development plan for the construction of a 138-suite congregate retirement residence approximately 115,600-sf in size. (APN 817-30-050)

**Recommendation:** Open Public Hearing/Adopt Resolutions with recommendation to forward requests to the City Council for denial.

- 7) **RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDCS) QUARTERLY REPORT:** Quarterly review of the progress of residential projects that have been awarded building allocations under the City's Residential Development Control System (RDCS).

**Recommendation:** Approve report with recommendation to forward to the City Council for approval.

- 8) **SUMMER MEETING SCHEDULE:**

**Recommendation:** Discuss and approval of Summer Meeting Schedule.

### **ANNOUNCEMENTS:**

### **UPCOMING AGENDA ITEM(S) FOR THE AUGUST 12, 2008 MEETING:**

## PLANNING COMMISSION MEETING AGENDA

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- ELBA-08-05: Diana-EAH Update regarding RDA Funding
- ZA-08-13: Monterey-Dincer
- ZAA-03-15: Peet-Lupine
- UP-08-09: Monterey-Congregation Emeth
- ZA-08-17: City of Morgan Hill-Senior Housing Definitions

### CITY COUNCIL REPORTS

### ADJOURNMENT

### SPEAKER CARD

*IN ACCORDANCE WITH GOVERNMENT CODE 54953.3, IT IS NOT A REQUIREMENT TO FILL OUT A SPEAKER CARD IN ORDER TO SPEAK TO THE PLANNING COMMISSION. HOWEVER, it is very helpful to the Commission if you would fill out the Speaker Card that is available on the counter in the Council Chambers. Please fill out the card and return it to the Deputy City Clerk. As your name is called by the Chairperson, please walk to the podium and speak directly into the microphone. Clearly state your name and address and proceed to comment upon the agenda item. Please limit your remarks to three (3) minutes.*

### NOTICE

### AMERICANS WITH DISABILITY ACT (ADA)

*The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.*

*If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.*

### NOTICE

*NOTICE IS GIVEN pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.*

### NOTICE

*The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.*

### NOTICE

*All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act that are distributed to a majority of the Planning Commission less than 72 hours prior to an open session, will be made available for public inspection at the Office of the City Clerk at Morgan Hill City Hall located at 17555 Peak Avenue, Morgan Hill, CA, 95037 at the same time that the public records are distributed or made available to the Planning Commission. (Pursuant to Government Code 54957.5)*